THE HONOURABLE SHRI JUSTICE R.SUBHASH REDDY

WRIT PETITION No. 17307 OF 2006

Dated 18th December, 2006

Between:
Anil Kumar

… Petitioner

And

The State of A.P. represented by its
Secretary, Social Welfare Department,
Secretariat, Hyderabad and others.

… Respondents.

ORAL ORDER:

In this writ petition, the petitioner seeks a writ of mandamus to declare the action of the respondents in not considering the claim of the petitioner for admission into Engineering course under the Scheduled Caste category, as highly illegal and arbitrary.

The petitioner belonged to Beldar community, which was notified as a Scheduled Caste in Uttar Pradesh. The father of the petitioner is a migrant from Uttar Pradesh to State of Andhra Pradesh. Though the petitioner has secured a certificate from the Mandal Revenue Officer, but, in the counter affidavit filed on behalf of the respondents, it is stated that the 'Beldar' community is not existing in the State of Andhra Pradesh and such a caste was not included in the Annexure appended to the rules issued under the Andhra Pradesh (Scheduled Castes, Scheduled Tribes and Backward Classes) Regulation of Issue of Community Certificates Act, 1993.

Inasmuch as the Beldar community is not found in the list of Scheduled Castes as per the notification of Government of India in Annexure-I appended to the A.P. (Scheduled Castes, Scheduled Tribes and Backward Classes) Issue of Community, Nativity, and Date of Birth Certificates Rules, 1997, the petitioner is not entitled for any admission in Engineering course in the quota reserved for Scheduled Caste candidates in the State of Andhra Pradesh.

The writ petition is devoid of merits and is accordingly dismissed. No costs.

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18.12.2006

R.SUBHASH REDDY, J.

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